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MAY 14 2002

Department of Water Resources



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
ALAN G. LANCE

COPY

May 2, 2002

Ted Booth
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

Re: SRBA Subcase Nos. 57-2304B

Dear Ted:

Enclosed is the NCAP that splits water right 57-2304B into 57-2304C and 57-2304D. As we discussed, the partial decree for this right was erroneously issued in Steiner's name only on February 7, 2002. The property was actually sold and the water right split prior to the issuance of the partial decree. The enclosed NCAP splits the right between Steiner and Meaker.

The ownership of water right 57-2304D has changed to Ms. Jessica Huston so I have enclosed a second NCAP that reflects that ownership change.

Thus, the partial decree for 57-2304B should be set aside and new partial decrees issued with Meaker owning 57-2304C and Jessica Huston owning 57-2304D. I am providing a copy of this letter to all the parties involved so they can contact me with any questions they may have. My telephone number is (208) 327-5404.

Very Truly Yours,


Candice M. McHugh
Deputy Attorney General, IDWR

Enclosures

cc: Yolanda and Vern Steiner
Reg and Holly Meaker
Jessica Huston

2002 MAY 13 AM 11:07

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA)

Water Right: 57-2304B

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

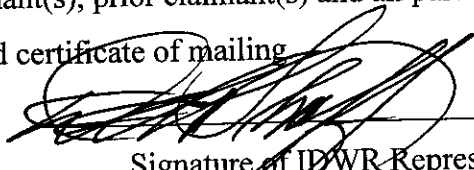
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222 transfer
- | | |
|--|---|
| ☐ Point of diversion | ☐ Place of use |
| ☐ Period of use | ☐ Nature of use |
| ☒ Split of water right | ☒ Change in ownership |
| ☐ Other | |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 6, 2002



Signature of IDWR Representative

05/06/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 57-2304C
NAME AND ADDRESS: REG MEAKER
7314 SUNNYBROOK DR
BOISE ID 83709

HOLLY MEAKER
7314 SUNNYBROOK DR
BOISE ID 83709

2002 MAY 13 AM 11:07
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 4.310 CFS
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 8.24 CFS. COMBINED RIGHT NOS.: 57-02327,
57-04000, 57-04106, 57-07226 & 57-07449.

PRIORITY DATE: 10/12/1966

POINT OF
DIVERSION: T05S R03E S35 NESWNE Within OWYHEE County
T06S R03E S2 SENWNE Lot 2 Within OWYHEE County
NO MORE WATER SHALL BE DIVERTED IN SECTION 35 UNDER THIS RIGHT THAN IS
AVAILABLE AT THE SAME TIME FOR DIVERSION UNDER THIS RIGHT IN SECTION 2.
TWO POINTS OF DIVERSION LOCATED IN T05S, R03E, S35, NESWNE.

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	4/01 10/31	4.310 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE:	IRRIGATION Within OWYHEE County				
T05S R03E S26	NWSW	4.0	T05S R03E S26	SWSW	35.0
T05S R03E S26	SESW	4.0	T05S R03E S35	NWNE	5.0
T05S R03E S35	SWNE	29.0	T05S R03E S35	NENW	29.0
T05S R03E S35	NWNW	39.0	T05S R03E S35	SWNW	32.0
T05S R03E S35	SENW	38.0	T05S R03E S35	NESW	40.0
T05S R03E S35	NWSW	39.0	T05S R03E S35	SWSW	32.0
T05S R03E S35	SESW	38.0	T05S R03E S35	NWSE	25.0
T05S R03E S35	SWSE	21.0	T05S R03E S35	NWSE	25.0

410 ACRES TOTAL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 412 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 57-02327, 57-04000, 57-04106, 57-07226 & 57-07449.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 286 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTORS REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN COMBINED USE LIMITATIONS FOR THIS RIGHT AND THE BASIN 02 RIGHTS. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT NO. 57-07226 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

RIGHT NO. 57-04106 IS ALSO REDIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

05/06/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

2002 MAY 13 AM 11:07

RIGHT NUMBER: 57-2304D
NAME AND ADDRESS: YOLANDA STEINER
HC 85 BOX 325B
GRAND VIEW ID 83624

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

VERN STEINER
HC 85 BOX 325B
GRAND VIEW ID 83624

SOURCE: SHOOFLY CREEK
TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS
USE OF THIS RIGHT WITH RIGHT NOS. 57-02327, 57-04000, 57-04106, 57-07226 & 57-07449 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.24 CFS.

PRIORITY DATE: 10/12/1966

POINT OF DIVERSION: T05S R03E S35 NESWNE Within OWYHEE County
T06S R03E S2 SENWNE Lot 2 Within OWYHEE County
TWO POINTS OF DIVERSION LOCATED IN NESWNE, S35, T05S, R03E.
NO MORE WATER SHALL BE DIVERTED IN SECTION 35 UNDER THIS RIGHT THAN IS AVAILABLE AT THE SAME TIME FOR DIVERSION UNDER THIS RIGHT IN SECTION 2.

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.020 CFS
THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.		

PLACE OF USE: IRRIGATION Within OWYHEE County
T05S R03E S35 SENE 2.0

2 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 57-02327, 57-04000, 57-04106, 57-07226 & 57-07449 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 412 ACRES IN A SINGLE IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 286 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHTS HAVE ALSO BEEN CLAIMED TO WATER FROM BASIN 02 FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE, WHICH WILL BE INCLUDED IN A DIRECTORS REPORT TO BE FILED AT A LATER DATE. ANY WATER RIGHTS RECOMMENDED IN THE BASIN 02 REPORT FOR THE SAME PURPOSE OF USE AT THE SAME PLACE OF USE DESCRIBED ABOVE WILL CONTAIN REMARKS LIMITING THE COMBINED USE OF THIS RIGHT AND THE BASIN 02 RIGHTS. THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RIGHT NO. 57-07226 IS ALSO DIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

RIGHT NO. 57-04106 IS REDIVERTED THROUGH POINTS OF DIVERSION DESCRIBED ABOVE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

CERTIFICATE OF MAILING

I certify that on May 7, 2002, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

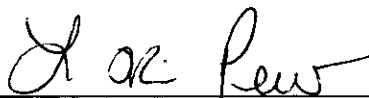
Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

3. Copies to all parties to the subcase:

Vern Steiner
Yolanda Steiner
HC 85 Box 325B
Grandview, ID 83624

Reg Meaker
Holly Meaker
7314 Sunnybrook Dr.
Boise, ID 83709



Signature of person mailing this document

2002 MAY 13 AM 11:08

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Water Right: 57-2304D

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

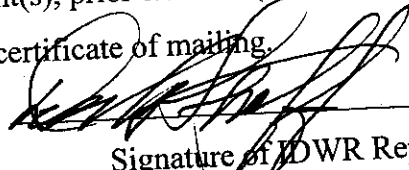
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222 transfer
 - ☐ Point of diversion
 - ☐ Period of use
 - ☐ Split of water right
 - ☐ Other
 - ☐ Place of use
 - ☐ Nature of use
 - ☐ Change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: May 7, 2002


Signature of IDWR Representative

05/07/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 57-2304D
NAME AND ADDRESS: JESSICA R HUSTON
HC 85 BOX 328
GRANDVIEW ID 83624

2002 MAY 13 AM 11:08
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: SHOOFLY CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS
USE OF THIS RIGHT WITH RIGHT NOS. 57-02327, 57-04000, 57-04106, 57-07226 &
57-07449 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.24 CFS.

PRIORITY DATE: 10/12/1966

POINT OF
DIVERSION: T05S R03E S35 NESWNE Within OWYHEE County
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RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

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THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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Boise, ID 83711-4449

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

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Jessica R. Huston
HC 85 Box 328
Grandview, ID 83624



Signature of person mailing this document